#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class Mail, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 3, 2006.

By: William J Sapone

Date: October 3, 2006

File No: 377/9-2182

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Yvan VERRA et al

Serial No.

10/560,146 based on PCT/FR04/01446

Intl. filing date:

10 June 2004

For

: BONE MARROW ASPIRATION TROCAR

-----

Mail Stop PCT Commissioner of Patents P.O. Box 1450 Alexandria VA 22313-1450

#### <u>PETITION UNDER 37CFR 1.47(b) TO PROCEED</u> WITHOUT THE SIGNATURE OF A JOINT INVENTOR

Sir:

Two of the joint inventors of the above referenced application hereby petition the Commissioner to accept the above application and to proceed with the examination without the signatures of the legal representatives of a deceased co-inventor, Yvan Verra, who have refused to sign the Inventors' Declaration.

The last known addresses of the legal representatives are as follows:

Ollivier Verra, 17bis, place du Palais des Papes, Avignon, France F-8400, with three phone numbers listed, 04 90 86 24 56; 04 32 74 09 12; and, 08 72 74 51 96. His email address is listed as ollivierverra@yahoo.fr

Raphael Verra, Chalencon 2, all Victor Mitan, 84270 Vedene, France, phone 04 90 32 63 93.

Florence Herrenschmidt-Verra, 8 r Aude, 13100 Aix En Provence, France, phone 04 42 26 13 27, fax 04 42 26 37 50.

Enclosed herewith as Exhibit A is a declaration by William J. Sapone concerning the circumstances surrounding the refusal of the legal representatives to sign the Inventor Declaration for this application.

Enclosed herewith as Exhibit B is the Declaration signed by the other two listed inventors.

This petition must be granted to avoid irreparable harm as there has been a publication of the related PCT application, and failure to proceed will result in abandonment of the application and loss of rights to the invention. If this petition is not granted, the other inventors will lose their rights to the invention in the United States.

The fee of \$130 specified in 37 CFR 1.17 (h) is enclosed.

The four month extension fee for late submission of the response to the Communication mailed April 3, 2006, \$795, is also enclosed.

• Favorable consideration and grant of this petition is respectfully requested.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C. 714 Colorado Avenue Bridgeport, Connecticut 06605-1601 Telephone No. (203) 366-3560 Facsimile No. (203) 335-6779 William J. Sapone
Registration No. 32,518
Attorney for Applicant(s)

#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service via First Class Mail, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 3, 2006.

By: Date: October 3, 2006
William J. Sapone

File No: 377/9-2182

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yvan VERRA et al

Serial No. : 10/560,146 based on PCT/FR04/01446

Intl. filing date: 10 June 2004

For : BONE MARROW ASPIRATION TROCAR

.

Mail Stop PCT Commissioner of Patents P.O. Box 1450 Alexandria VA 22313-1450

#### **DECLARATION**

I, William J. Sapone, do hereby declare as follows,

- 1. I am an attorney at law admitted to practice in the States of Connecticut and New York and am a registered Patent Attorney.
- 2. In response to a Communication mailed on April 3, 2006, concerning the original declaration filed in this application, I obtained a declaration signed by all the available joint inventors with a signature block of the non-signing legal representatives of the deceased inventor left blank, indicating that they were signing on behalf of the non-signing legal representatives of the deceased inventor, Yvan Verra. The two living inventors are Borhane Slama and Hacene Zerazhi. The declaration was executed on May 27, 2006.
- 3. On June 2, 2006, I sent copies of the declaration to the addresses of the legal representatives of the deceased inventor, Ollivier VERRA, Florence VERRA and Raphael VERRA at the addresses listed in the international patent application, by Federal Express. Copies of the letters and labels are enclosed as Exhibit A. The one sent to Florence Verra was returned.
- 4. I then conducted an internet search to try to locate a current address for Floernce Verra, and other contact information of the legal representatives. (Copies Exhibit B) I confirmed

the address for Ollivier Verra, and also found his telephone number and email address. I placed a call to Mr. Ollivier, and to Raphael Verra, neither of which was answered. I also received no reply to an email sent to Ollivier Verra, a copy of which is enclosed as Exhibit C.

- 5. On August 30, I located an office address and fax number for Ms. Florence Herrenschmidt-Verra, and I sent her a fax on that date. A copy is enclosed as Exhibit D. No reply was received.
- 6. To date, I have not received replies from any of the three legal representatives of the deceased inventor.
- I, the undersigned further declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

October 3, 2006

Reg. No. 32518

LAW OFFICES OF

### COLEMAN SUDOL SAPONE, P.C.

714 COLORADO AVENUE BRIDGEPORT, CONNECTICUT 06605-1601 (203) 366-3560

HENRY D. COLEMAN, Ph.D.\* R. NEIL SUDOL\*

FACSIMILE: (203) 335-6779/6899

COUNSEL KEVIN J. McGough+ PAUL S. FEINMAN\*

WILLIAM J. SAPONE

\* Not Admitted in Connecticut

New York City Office 950 Third Avenue, 26th Floor

> Westchester, NY Office 81 Pondfield Road, No. 268 Bronxville, New York 10708

New York, New York 10022

COLEMANSUDOLSAPONE.COM

2 June 2006

#### VIA FEDERAL EXPRESS

Mr. Ollivier Verra 17bis, place du Palais des Papes Avignon, FRANCE F-84000

> Re: U.S. Patent Application No.: 10/560,146 For: BONE MARROW ASPIRATION TROCAR

Dear Mr. Verra:

I am an attorney representing the inventors on U.S. Patent Application number 10/560,146, which was filed on 9 December 2005, which lists Yuan Verra as one of the inventors. This is based on PCT Application number PCT/FR2004/001446. I have been advised that you are one of the heirs, and under U.S. law, the heirs of a deceased inventor must all sign the Declaration for the patent application on behalf of the deceased inventor.

I have enclosed the Declaration that must be signed and returned to me. For your convenience I am enclosing a return Federal Express label and envelope, so there should be no cost to you.

I should advise that we have a deadline for filing this Declaration, with all the signatures and so your prompt attention to this matter would be appreciated.

If possible, please also confirm that the other heirs have received the Declaration and if not, please let me know.

If you have any questions, please feel free to contact me.

Sincerely,

WJS/kcb enclosure Docket No.: 377/9-2182

	eby declare that:			l		
	s(es) and citizenship(s) is (are) the same			1		
I (we) believe I am (we are) an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: BONE MARROW ASPIRATION TROCAR						
the specification of which is attac	ched hereto unless the following	oox is checked:				
was filed on 10 June 2004 as Serial No. PCT International Application Number PCT/FR2004/001446 and was amended on (if applicable).  I (we) hereby state that I (we) have reviewed and understand the contents of the above identified specification.						
including the claims, as amende	ed by any amendment referred to	above.				
I (we) acknowledge the duty to c Federal Regulations, '1.56.	disclose information which is mat	erial to patentability as defined	d in Title 37, 0	Code of		
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for patent or inventor's certificate Prior Foreign Application(s):  (Number)  I (we) hereby claim the benefapplication(s) listed below:	(Country)  it under Title 35, United States  (Application Number)	(Day/Month/Year)  Code, '119(e) of any United  (Filing	Priority  1 States prov	Claimed		
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	DECLARATION FOR PAIL		
I (we) hereby appoir business in the Pate from <u>:</u> Customer # 28,156	nt the following attorney(s) and/or agent(s) to pent and Trademark Office connected therewith	rosecute this applic and to act in accord	ation and to transact all dance with the instructions
Address all telephone	calls to: William J. Sapone, Esq. at Te	lephone No. <b>(203)36</b> 6	-3560
Address all correspon	ndence to: Customer # 28,147		
made on information knowledge that will Section 1001 of Tit	are that all statements made herein of my (our) on and belief are believed to be true; and furth ful false statements and the like so made are the 18 of the United States Code and that such or any patent issued thereon.	ounishable by fine (	or imprisonment, or both, under
Full name of sole of	or 1st inventor (given name, family name):	Yvan VERRA (c	
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship:	FRANCE
Post Office Address:	same		
Inventor's signatui	re: (heirs signatures below)		Date:
Full name of 2nd	inventor (given name, family name):	Borhane SLAM	Α
Residence:	5, Place du 8 mai 1945, La Croix des Oiseaux Avignon, France	Citizenship:	France
Post Office Address:	Same		
Inventor's signate	ure:		Date: 27/05/2006

ull name of 3rd i	nventor (given name, family name):	Hacene ZERAZI	1
Residence:	13, rue Blangy sur Bresle, Barbentanc, France	Citizenship:	France
Post Office Address:	Same		
nventor's signati	Jre:	Da	ate: $27/05/0$
Full name of 4th	inventor (given name, family name):	Ollivier VERRA inventor's sole	(first of three of the deceased heirs)
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship:	France
Post Office Address:	Same		
Inventor's signat	lure:	c	Pate:
Inventor's signat	ure:	C	pate:
Full name of 5th	n inventor (given name, family name):	Florence VER deceased inve	RA (second of three of the entor's sole heirs)
		Florence VER	RA (second of three of the
Full name of 5th	inventor (given name, family name):  54 rue des Remparts Saint-Lazare	Florence VER deceased inve	RA (second of three of the entor's sole heirs)
Full name of 5th Residence: Post Office Address:	54 rue des Remparts Saint-Lazare F-84000 Avignon, France	Florence VER deceased inve Citizenship:	RA (second of three of the entor's sole heirs)
Full name of 5th Residence:  Post Office Address: Inventor's signa	54 rue des Remparts Saint-Lazare F-84000 Avignon, France Same	Florence VER deceased inve	RA (second of three of the entor's sole heirs)  France  Date:
Full name of 5th Residence:  Post Office Address: Inventor's signa	54 rue des Remparts Saint-Lazare F-84000 Avignon, France Same	Florence VER deceased inve	RA (second of three of the entor's sole heirs)  France  Date:

# Express International Air Waybill

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### COLEMAN SUDOL SAPONE, P.C.

714 COLORADO AVENUE BRIDGEPORT, CONNECTICUT 06605-1601

FACSIMILE: (203) 335-6779/6899 HENRY D. COLEMAN, Ph.D.\*

R. NEIL SUDOL\* WILLIAM J. SAPONE

COUNSEL KEVIN J. McGough\* PAUL S. FEINMAN\*

Not Admitted in Connecticut

(203) 366-3560 COLEMANSUDOLS APONE. COM

> New York City Office 950 Third Avenue, 26th Floor New York, New York 10022

Westchester, NY Office 81 Pondfield Road, No. 268 Bronxville, New York 10708

2 June 2006

#### VIA FEDERAL EXPRESS

Mr. Raphael Verra Zac Chalancon II Allee Victor Mitan Vendene, FANCE F-84270

> Re: U.S. Patent Application No.: 10/560,146 For: BONE MARROW ASPIRATION TROCAR

Dear Mr. Verra:

I am an attorney representing the inventors on U.S. Patent Application number 10/560,146, which was filed on 9 December 2005, which lists Yuan Verra as one of the inventors. This is based on PCT Application number PCT/FR2004/001446. I have been advised that you are one of the heirs, and under U.S. law, the heirs of a deceased inventor must all sign the Declaration for the patent application on behalf of the deceased inventor.

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If possible, please also confirm that the other heirs have received the Declaration and if not, please let me know.

If you have any questions, please feel free to contact me.

Sincerely,

William J. Sapone

WJS/kcb enclosure Docket No.: 377/9-2182

As a below named inventor(s), I (we) her	reby declare that:						
My (our) residence(s), post office addres	ss(es) and citizenship(s) is (are) the same	as stated	I below next to my (our) name(	(s).			
I (we) believe I am (we are) an original, to names are listed below) of the subject means the subject of MARROW ASPIRATION To the subject of	first and sole inventor (if only one name is natter which is claimed and for which a pa TROCAR	listed bel tent is so	low) or an original, first and joi ught on the invention entitled:	nt inventor (if   BONE	olural		
the specification of which is atta	ched hereto unless the following	box is c	hecked:				
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	ave reviewed and understand the ed by any amendment referred to			a specificat	ion,		
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application(s) for patent or inve	rity benefits under Title 35, United ntor's certificate listed below and te having a filing date before that	have al	Iso identified below any	foreign app	lication led:		
Prior Foreign Application(s):				Priority	Claimed		
(Number)	(Country)	(1	Day/Month/Year)	FIIOTRY	Clairried		
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	(Application Number)		(Filing D	ate)			
I (we) hereby claim the benefit under Title 35, United States Code, '120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, '112, I (we) acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulation, '1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.							
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Address all telepho	ne calls to: William J. Sapone, Esq. at Te	elephone No. <b>(203)36</b>	6-3560
Address all corresp	condence to: Customer # 28,147		
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Full name of sole	e or 1st inventor (given name, family name):	Yvan VERRA (	deceased)
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship:	FRANCE
Post Office Address:	same		
Inventor's signat	ture: (heirs signatures below)		Date:
L			
Full name of 2n	d inventor (given name, family name):	Borhane SLAM	A
Residence:	5, Place du 8 mai 1945, La Croix des Oiseaux Avignon, France	Citizenship:	France
Post Office Address:	Same		
Inventor's signa	ature:	C	Date: $27/05/2006$

Full name of 3rd	inventor (given name, family name):	Hacene ZERAZHI		
Residence:	13, rue Blangy sur Bresle, Barbentanc, France	Citizenship:	France	
Post Office Address:	Same			
Inventor's signat	ure:	D:	ate: 27/05/0	
Full name of 4th	inventor (given name, family name):	Ollivier VERRA inventor's sole	(first of three of the deceased heirs)	
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship: France		
Post Office Address:	Same			
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Inventor's signa  Full name of 5th  Residence:  Post Office Address:	54 rue des Remparts Saint-Lazare F-84000 Avignon, France	Florence VER deceased inve	RA (second of three of the entor's sole heirs)	
Inventor's signa  Full name of 5th  Residence:  Post Office Address:  Inventor's signa	54 rue des Remparts Saint-Lazare F-84000 Avignon, France Same	Florence VER deceased inve	RA (second of three of the entor's sole heirs)  France  Date:	
Inventor's signa  Full name of 5th  Residence:  Post Office Address:  Inventor's signa	54 rue des Remparts Saint-Lazare F-84000 Avignon, France Same	Florence VER deceased inverse Citizenship:	RA (second of three of the entor's sole heirs)  France  Date:	

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	Address Lac Chalancon II  Address Allee Victor Mitan	8 Your Internal Billing Reference 9-2182 OPTIONA.	First 24 characters will appear on invol
	City Vendene State Province	9 Required Signature	
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3	Shipment Information  For EU Only: Tick here if goods are not in free circulation and provide C.l.  Total Packages  Total  Ibs. kg	Signature:  This is not authorization to deliver this shipment without a recipion to deliver the deliver this shipment without a recipion to deliver this shipment without a recipion to deliver the deliver this shipment with the deliver the delive	ent signature.
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## COLEMAN SUDOL SAPONE, P.C.

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FACSIMILE: (203) 335-6779/6899

HENRY D. COLEMAN, Ph.D.\*
R. NEIL SUDOL\*
WILLIAM J. SAPONE

COUNSEL KEVIN J. McGough• Paul S. Feinman•

Not Admitted in Connecticut

2 June 2006

#### **VIA FEDERAL EXPRESS**

Ms. Florence Verra 54 rue des Remparts Sainte-Lazare Avignon FRANCE F-84000

Re: U.S. Patent Application No.: 10/560,146
For: BONE MARROW ASPIRATION TROCAR

Dear Mr. Verra:

I am an attorney representing the inventors on U.S. Patent Application number 10/560,146, which was filed on 9 December 2005, which lists Yuan Verra as one of the inventors. This is based on PCT Application number PCT/FR2004/001446. I have been advised that you are one of the heirs, and under U.S. law, the heirs of a deceased inventor must all sign the Declaration for the patent application on behalf of the deceased inventor.

I have enclosed the Declaration that must be signed and returned to me. For your convenience I am enclosing a return Federal Express label and envelope, so there should be no cost to you.

I should advise that we have a deadline for filing this Declaration, with all the signatures and so your prompt attention to this matter would be appreciated.

If possible, please also confirm that the other heirs have received the Declaration and if not, please let me know.

If you have any questions, please feel free to contact me.

Sincerely,

William J. Sapone

WJS/kcb enclosure Docket No.: 377/9-2182

As a belo	w named inventor(s), I (we) here	eby declan	e that:				}	
My (our)	residence(s), post office address	s(es) and o	citizenship(s) is (are) the same	as stated t	pelow next to my (our) name(	s).		
names a	lieve I am (we are) an original, fi re listed below) of the subject ma ROW ASPIRATION T	atter which	n is claimed and for which a pat	listed belo lent is soug	w) or an original, first and joir pht on the invention entitled:	nt inventor (if p BONE	lural	
the spe	ecification of which is attac	ched her	reto unless the following	box is ch	ecked:			
includi	was filed on 10 June 200 PCT International Applicand was amended on hereby state that I (we) hang the claims, as amended acknowledge the duty to contact the state of the duty to contact the duty to contact the state of the duty to contact the duty the duty to contact the duty the duty to contact the duty the duty the duty to contact the duty the dut	ave revie	umber PCT/FR2004/00 (if ap ewed and understand the y amendment referred to	plicable contents above.	s of the above identified			
Feder	al Regulations, '1.56.	uisciose	mornador when is mad	orial to p	<u> </u>			
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applic for pa	hereby claim foreign prio cation(s) for patent or inve- stent or inventor's certifica	intor's ce	artificate listed below and	have als	so identified below any	toreign app	lication ned:	
Prior	Foreign Application(s): (Number)		(Country)	(0	Day/Month/Year)	Priority	Claimed	i
	(Number)		(oddini)					
I (we) hereby claim the benefit under Title 35, United States Code, '119(e) of any United States provisional application(s) listed below:  (Application Number) (Filing Date)								
belo State ackr	b) hereby claim the benefit w and, insofar as the subj es application in the manr nowledge the duty to discleral eral Regulation, '1.56 whice international filing date o	ject matt ner provi .ose info ch becar	ter of each of the claims ded by the first paragrap rmation which is material the available between the	of this ap h of Title I to pater	e 35, United States Coo Nability as defined in T	de, ' 112, I ( itle 37, Cod	we) e of	
	(Application Serial No.)	)	(Filing date)		(STATUS-patented,	pending, a	bandoned	)
10/5	560,146		9 December 2005		Pending			

I (we) hereby appo business in the Pa from : Customer # 28,15	oint the following attorney(s) and/or agent(s) to putent and Trademark Office connected therewith	prosecute this applic and to act in accor	cation and to transact all rdance with the instructions
Address all telephor	ne calls to: William J. Sapone, Esq. at Te	elephone No. (203)36	6-3560
Address all correspond	ondence to: Customer # 28,147		
·			
made on informate knowledge that w Section 1001 of T	lare that all statements made herein of my (our tion and belief are believed to be true; and furth illful false statements and the like so made are itle 18 of the United States Code and that such or any patent issued thereon.	er that these staten nunishable by fine	or imprisonment, or both, under
Full name of sole	or 1st inventor (given name, family name):	Yvan VERRA (	deceased)
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship:	FRANCE
Post Office Address:	same		
Inventor's signat	ure: (heirs signatures below)		Date:
Full name of 2nd	d inventor (given name, family name):	Borhane SLAM	A
Residence:	5, Place du 8 mai 1945, La Croix des Oiseaux Avignon, France	Citizenship:	France
Post Office Address:	Same		
Inventor's signa	ture:		Date: $27/05/2006$

Residence:	13, rue Blangy sur Bresle,		HI
Post Office	Barbentanc, France	Citizenship:	France
Address:	Same		
nventor's signat	ure:	D	ate: 27/05/06
Full name of 4th	inventor (given name, family name):	Ollivier VERRA inventor's sole	(first of three of the deceased heirs)
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship:	France
Post Office Address:	Same		
	inventor (given name, family name):	deceased inve	RA (second of three of the entor's sole heirs)
Residence:	54 rue des Remparts Saint-Lazare	Citizenship:	France
	F-84000 Avignon, France		
Post Office Address:	Same		
Inventor's signa	ture:		Date:
Full name of 6th	n inventor (given name, family name):	Raphael VEF inventor's so	RRA (third of three of the deceased
		Citizenship:	France
Residence:	Zac Chalancon II, Allee Victor Mitan, F-84270 Vendene, France		

Inventor's signature: \_\_

## L. International Air Waybill

SED attached (provide export license no. and exp. data or license exception symbol, w/ECCN if explicable)

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options are availate to all destination

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Available to select locations for FedEx Intl. Priority only State City BRIDGEPORT Payment Bill transportation charges to: - Enter FedEx Acct. No. or Credit Card No. below. Sender Acct. No. in Cash Check/ Cheque Recipient Third Credit Card Country Postal Code 066051601 FedFx Use Only 2 Credit Card No Credit Card Exp. Date Payment Bill duties and taxes to: ALL shipments can be subject to Customs charges, which FedEx does not estimate prior to clearance. Company - Enter FedEx Acct. No. belo Recipient Third Party ve des Kemparts Sainte-1 Sender Acct. No. in Section 1 will be billed. FedEx Acct. No. Your Internal Billing Reference First 24 characters will appear or Address 9-2182 OPTIONAL Required Signature Use of this Air Wayfall constitutes your agreement to the Conditions of Contract on the back of this Air Wayfall, and you represent that this shipment does not require a U.S. State Department License or cont dengerous goods. Certain international treaties, including the Warsaw Convention, may apply to this shipment and finit our jability for Jemage, loss, or delay, as described in the Conditions of Contract. WARNING: These compositions are considered from the United States in 84000 Recipient's Tax ID number for Customs purposes a.g. GST/RFC/VAT/IN/EIN, or as locally required technology, or software were exported from the United States in lists on Regulations. Diversion contrary to U.S. law prohibited. accordance w Sender's Signature: **Shipment Information** For EU Only: Tick here if goods are not in free circulation and provide C.I. Total Packages Shipper's Load and Count/SLAC This is not auth / W ☐ DIM For Completion Instructions, see back of fifth page. Value for Customs REQUIRED REQUIRED documen 8554 5910 2923 Form ID No COMPLETE IN ENGLISH Try online shipping at fedex.com For U.S. Expart Only: Check One No SED required per Examption No SED required, value \$2500 or les per Schedule B Commodity number

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### COLEMAN SUDOL SAPONE, P.C.

714 COLORADO AVENUE BRIDGEPORT, CONNECTICUT 06605-1601 (203) 366-3560

FACSIMILE: (203) 335-6779/6899

HENRY D. COLEMAN, Ph.D.\*
R. NEIL SUDOL\*
WILLIAM J. SAPONE

RECEIVED

COUNSEL
KEVIN J. McGough\*
Paul S. Feinman\*

Not Admitted in Connecticut

JUN 2 9 2006

RETURNE d

COLEMAN SUDOL SAPONE, P.C

2 June 2006

COLEMANSUDOLSAPONE.COM

New York City Office 950 Third Avenue, 26th Floor New York, New York 10022

Westchester, NY Office 81 Pondfield Road, No. 268 Bronxville, New York 10708

VIA FEDERAI

Ms. Florence Ve 54 rue des Remp Avignon FRAN

Re: U.S. Patent Application No.: 10/560,146
For: BONE MARROW ASPIRATION TROCAR

Dear Mr. Verra:

I am an attorney representing the inventors on U.S. Patent Application number 10/560,146, which was filed on 9 December 2005, which lists Yuan Verra as one of the inventors. This is based on PCT Application number PCT/FR2004/001446. I have been advised that you are one of the heirs, and under U.S. law, the heirs of a deceased inventor must all sign the Declaration for the patent application on behalf of the deceased inventor.

I have enclosed the Declaration that must be signed and returned to me. For your convenience I am enclosing a return Federal Express label and envelope, so there should be no cost to you.

I should advise that we have a deadline for filing this Declaration, with all the signatures and so your prompt attention to this matter would be appreciated.

If possible, please also confirm that the other heirs have received the Declaration and if not, please let me know.

If you have any questions, please feel free to contact me.

Sincerely,

William J. Sapone

WJS/kcb enclosure

Verra Ollivier	
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17Bis pl Palais 84000 AVIGNON <u>Plan </u> <u>Itinéraire  Vue aérienne</u>   <u>A proximité</u>	04 32 74 09 12

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#### Verra Ollivier

17B pl Palais 84000 AVIGNON <u>Plan| Itinéraire| Vue aérienne</u> | <u>A proximité</u>

Mail: ollivierverra@yahoo.fr

Verra Raphaël

résid Chalencon 2 all Victor Mitan 84270 VEDENE <u>Plan</u> | <u>Itinéraire</u> | <u>Vue aérienne</u> | <u>A proximité</u>

04 90 32 63 93



Herrenschmidt-Verra Florence avocat

8 r Aude 13100 AIX EN PROVENCE <u>Plan| Itinéraire| **V**ue aérienne</u> | <u>A proximité</u>

04 42 26 13 27 fax : 04 42 26 37 50



01/33

Subj:

Re: Patent Application of Yvan Verra

Date:

8/29/2006

To:

ollivierverra@yahoo.fr

Dear Mr. Verra,

I am an attorney representing the inventors on U.S. Patent Application number 10/560,146, which was filed on 9 December 2005. This patent application lists Yvan Verra as one of the inventors, and was based on an international patent Application, number PCT/FR2004/001446. I was advised that you are one of the heirs. Under U.S. law, the heirs of a deceased inventor must all sign a Declaration on behalf of the deceased inventor.

I have enclosed the Declaration that must be signed and returned to me. For your convenience, this may be returned by fax. I had sent one to you by Federal Express, but had no confirmation on delivery.

We have a deadline for filing this Declaration, with all the signatures and so your prompt attention to this matter would be appreciated.

If possible, please also advise as to how I can contact the other heirs, or if you can have the other heirs sign and fax the declaration to me.

If you have any questions, please feel free to contact me.

Sincerely, William J. Sapone

William J. Sapone
Coleman Sudol Sapone P.C.
714 Colorado Avenue
Bridgeport CT 06605
203-366-3560
fax 203-335-6779
email: wjspatent@aol.com,
Alternate:wsapone@colemansudolsapone.com

#### **LEGAL NOTICE**

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Docket No.: 377/9-2182

As a below named inventor(s), I (we) he	ereby declare that:				
My (our) residence(s), post office addre	ess(es) and citizenship(s) is (are) the same	e as state	ed below next to my (our) nam	ne(s).	
	first and sole inventor (if only one name i matter which is claimed and for which a pa TROCAR				plural
the specification of which is atta	ached hereto unless the following	box is	checked:		
	ication Number PCT/FR2004/00	<u>01446</u> oplicat	ole).		
	have reviewed and understand the led by any amendment referred to			ed specificat	ion,
I (we) acknowledge the duty to Federal Regulations, '1.56.	disclose information which is ma	terial to	patentability as defined	d in Title 37,	Code of
		-			
application(s) for patent or inve	ority benefits under Title 35, Unite entor's certificate listed below and te having a filing date before that	have a	ilso identified below any	/ foreign app	lication ned:
Prior Foreign Application(s):				Priority	Claimed
(Number)	(Country)	(	Day/Month/Year)	Trionity	Giairriod
I (we) hereby claim the bene application(s) listed below:	fit under Title 35, United States (Application Number)	Code,	'119(e) of any United (Filing I		risional
below and, insofar as the subjection of the subjection in the mann acknowledge the duty to disclose	under Title 35, United States Co ect matter of each of the claims of er provided by the first paragraph ose information which is material th became available between the of this application.	of this ap of Title to pater	pplication is not disclos a 35, United States Cod ntability as defined in T	ed in the pri de, ' 112, I (v itle 37, Code	or United ve) of
(Application Serial No.)					
	(Filing date)		(STATUS-patented,	pending, ab	andoned)

I (we) hereby appoint business in the Pate from : Customer # 28,156	nt the following attorney(s) and/or agent(s) to pent and Trademark Office connected therewith	prosecute this appli and to act in acco	cation and to transact all rdance with the instructions
Address all telephone	e calls to: William J. Sapone, Esq. at Te	elephone No. <b>(203)36</b>	6-3560
Address all correspor	ndence to: Customer # 28,147		
made on information knowledge that will section 1001 of Title	re that all statements made herein of my (our) in and belief are believed to be true; and further ful false statements and the like so made are let 18 of the United States Code and that such rany patent issued thereon.	er that these staten punishable by fine o	nents were made with the or imprisonment, or both, under
Full name of sole o	r 1st inventor (given name, family name):	Yvan VERRA (d	leceased)
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship:	FRANCE
Post Office Address:	same		
Inventor's signature	e: (heirs signatures below)		Date:
Full name of 2nd in	ventor (given name, family name):	Borhane SLAMA	
Residence:	5, Place du 8 mai 1945, La Croix des Oiseaux Avignon, France	Citizenship:	France
Post Office Address:	Same		
Inventor's signature	e:	Da	te:

Full name of 3rd inventor (given name, family name):  Residence:  13 rue Blancy sur Brosle		Hacene ZERAZ	'HI
Residence:	13, rue Blangy sur Bresle, Barbentanc, France	Citizenship:	France
Post Office Address:	Same		
Inventor's signa	ature:	D:	ate:
Full name of 4th	n inventor (given name, family name):	Ollivier VERRA inventor's sole	(first of three of the deceased heirs)
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship:	France
Post Office Address:	Same		
First Heir's sign	ature:	[	Date:
Full name of 5th	inventor (given name, family name).	Florence VERF	RA (second of three of the
Full name of 5tl	h inventor (given name, family name):		RA (second of three of the ntor's sole heirs)
	54 rue des Remparts Saint-Lazare F-84000 Avignon, France		
Residence:	54 rue des Remparts Saint-Lazare	deceased inver	ntor's sole heirs)
Residence: Post Office Address:	54 rue des Remparts Saint-Lazare F-84000 Avignon, France	deceased inver	ntor's sole heirs)
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Residence:  Post Office Address:  Second Heir's s	54 rue des Remparts Saint-Lazare F-84000 Avignon, France Same	deceased inver	The state of the deceased
Residence:  Post Office Address:  Second Heir's s	54 rue des Remparts Saint-Lazare F-84000 Avignon, France Same  signature:  n inventor (given name, family name):  Zac Chalancon II, Allee Victor	Citizenship:  Raphael VERF inventor's sole	The price of the deceased heirs)

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HENRY D. COLEMAN, Ph.D.\*
R. NEIL SUDOL\*
WILLIAM J. SAPONE

COUNSEL KEVIN J. McGough\* Paul S. Feinman\*

\* Not Admitted in Connecticut

New York City Office 950 Third Avenue, 26th Floor New York, New York 10022

COLEMANSUDOLSAPONE.COM

Westchester, NY Office 81 Pondfield Road, No. 268 Bronxville, New York 10708

30 August 2006

#### **VIA FACSIMILE**

Ms. Florence Herrenschmidt-Verra 8 rue Aude Aix En Provence FRANCE 13100

Re: U.S. Patent Application No.: 10/560,146
For: BONE MARROW ASPIRATION TROCAR

#### Dear Mr. Herrenschmidt-Verra:

I hope I am contacting the correct person. I found your name through a computer search.

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I believe you may be one of the heirs of Yvan Verra, and under U.S. law, the heirs of a deceased inventor must all sign the Inventor Declaration for the patent application on behalf of the deceased inventor.

If you are one of the heirs, please let me know and I will send you the papers for signature, which can be simply faxed back to me. I would also appreciate your assistance in locating the other heirs, Ollivier Verra, and Raphael Verra, so that I may secure their signatures.

LAW OFFICES OF

### COLEMAN SUDOL SAPONE, P.C.

714 COLORADO AVENUE BRIDGEPORT, CONNECTICUT 06605-1601 (203) 366-3560

FACSIMILE: (203) 335-6779/6899

HENRY D. COLEMAN, Ph.D.\*
R. NEIL SUDOL\*
WILLIAM J. SAPONE

COUNSEL KEVIN J. McGough• Paul S. Feinman•

\* Not Admitted in Connecticut

COLEMANSUDOLSAPONE.COM

New York City Office 950 Third Avenue, 26<sup>th</sup> Floor New York, New York 10022

Westchester, NY Office 81 Pondfield Road, No. 268 Bronxville, New York 10708

30 August 2006

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If you have any questions, please feel free to contact me.

Sincerely

William J. Sapone

WJS/kcb

Docket No.: 377/9-2182

As a below named inventor(s), I (we)	nereby decla	are that:				
My (our) residence(s), post office add	ress(es) and	l citizenship(s) is (are) the same	as stated	below next to my (our) name	(s).	
I (we) believe I am (we are) an original names are listed below) of the subject MARROW ASPIRATION	t matter whi	ch is claimed and for which a pa	isted belo	ow) or an original, first and joinght on the invention entitled:	nt inventor (if p BONE	olural
the specification of which is a	tached he	ereto unless the following	box is cl	hecked:	•	1
and was amended or	olication N	lumber <u>PCT/FR2004/00</u> (if ap	plicabl	•		
I (we) hereby state that I (we) including the claims, as amer	have revi ded by ar	ewed and understand the ny amendment referred to	e content above.	ts of the above identifie	d specificati	on,
I (we) acknowledge the duty frederal Regulations, '1.56.	o disclose	e information which is ma	terial to p	patentability as defined	in Title 37,	Code of
	<u> </u>					
	<del></del>					
I (we) hereby claim foreign p application(s) for patent or in for patent or inventor's certifi	ventor's c	ertificate listed below and	have al	so identified below any	toreign app	lication ned:
Prior Foreign Application(s):						Claimed
(Number)		(Country)	([	Day/Month/Year)	Priority	Ciairried
I (we) hereby claim the ber application(s) listed below		er Title 35, United States	s Code,			/isional
	(Ar	plication Number)		(Filing D	oate)	
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PCT international filing date	of this ap	plication.				
(Application Serial No	of this ap	plication.  (Filing date)		(STATUS-patented,		
	of this ap	plication.				

I (we) hereby appoi business in the Pat from <u>:</u> Customer # 28,156	int the following attorney(s) and/or agent(s) to pent and Trademark Office connected therewith	prosecute this applic and to act in accor	cation and to transact all dance with the instructions
Address all telephone	e calls to: William J. Sapone, Esq. at Te	elephone No. <b>(203)366</b>	6-3560
Address all correspo	ndence to: Customer # 28,147		
made on informati- knowledge that will Section 1001 of Ti	are that all statements made herein of my (our on and belief are believed to be true; and furth liful false statements and the like so made are itle 18 of the United States Code and that such or any patent issued thereon.	er that these stater nunishable by fine (	or imprisonment, or both, under
Tall semo of colo	or 1st inventor (given name, family name):	Yvan VERRA (c	deceased)
	17bis, place du Palais des Papes	Citizenship:	FRANCE
Residence:	Avignon, France		
Post Office Address:	same		
Inventor's signatu	re: (heirs signatures below)		Date:
Full name of 2nd	inventor (given name, family name):	Borhane SLAMA	<u> </u>
Residence:	5, Place du 8 mai 1945, La Croix des Oiseaux Avignon, France	Citizenship:	France
Post Office Address:	Same		
Inventor's signate	ure:	D	Tate: $27/05/2006$

full name of 3rd in	nventor (given name, family name):	Hacene ZERAZ	HI
Residence:	13, rue Blangy sur Bresle, Barbentanc, France	Citizenship:	France
Post Office Address:	Same		
Inventor's signatu	ure:	D:	ate: 27/05/06
Full name of 4th i	inventor (given name, family name):	Ollivier VERRA inventor's sole	(first of three of the deceased heirs)
Residence:	17bis, place du Palais des Papes Avignon, France	Citizenship:	France
Post Office Address:	Same		
	ure: inventor (given name, family name):	Florence VER	RA (second of three of the
		Florence VER	
Full name of 5th	inventor (given name, family name):  54 rue des Remparts Saint-Lazare	Florence VER deceased inve	RA (second of three of the entor's sole heirs)
Full name of 5th Residence: Post Office Address:	inventor (given name, family name):  54 rue des Remparts Saint-Lazare F-84000 Avignon, France	Florence VER deceased inve	RA (second of three of the entor's sole heirs)
Full name of 5th Residence: Post Office Address: Inventor's signal	inventor (given name, family name):  54 rue des Remparts Saint-Lazare F-84000 Avignon, France Same	Florence VER deceased inve	RA (second of three of the entor's sole heirs)  France  Date:
Full name of 5th Residence: Post Office Address: Inventor's signal	inventor (given name, family name):  54 rue des Remparts Saint-Lazare F-84000 Avignon, France  Same  ture:	Florence VER deceased inve	RA (second of three of the entor's sole heirs)  France  Date: